

Claims 1, 17 and 32 have also been amended to provide consistent use of the terms "mobile part" and "mobile parts" throughout the claims. For these reasons, reconsideration and withdrawal of the rejection to the claims under 35 U.S.C. Section 112, second paragraph, is respectfully requested.

The rejection of all pending claims under 35 U.S.C. Section 102 as allegedly anticipated by Penzias (U.S. Patent No. 5,604,676) is respectfully traversed.

Penzias describes a personal transport service in which a vehicle's route is selected, and occasionally updated, in order to accommodate a number of different individuals' journeys. Although some kind of map data 119 is used by a map server 113 to provide information to a router server 111, Penzias does not teach or suggest, among other things, a plurality of overlay areas within a larger geographical overlay -- nor means for transmitting information associated with a particular overlay area in which the mobile part is currently located such that other mobile parts within that overlay area receive information associated with it.

It is alleged in the Office Action that the geographical maps (113 and 119) present in Penzias will inherently include a plurality of discrete predetermined overlay areas. Applicants do not agree that any geographical maps that might be present in Penzias are inherently organized as a plurality of discrete predetermined overlay areas. In any event, there is no suggestion in Penzias that the class of information to be supplied to individual users is based on such a set of areas. As far as Applicants can determine from the description of Penzias, data is generated and transmitted to the individual mobile units independently for each unit. There is no suggestion

that data be generated for a specified geographical area, and then the same data be transmitted to units that are currently within the area so identified.

The Examiner alleges that elements 161 and 187 constitute means for transmitting to the fixed part a request for guidance information. However, column 4, lines 31-33 describe that drivers report passenger status and observed road conditions back to personal transport server 101 via driver PT agent 161 and communication medium 187. There is no disclosure that these elements provide for transmitting a request for guidance information.

Furthermore, the Examiner's comments appear to be limited to independent claim 1. Many of applicant's dependent claims and/or other independent claims are also clearly not anticipated by Penzias for even additional reasons. Without attempting to provide an exhaustive supply of illustrations, the following are noted:

Claim 3 -- requires means for modifying the stored digital representation of the geographical overlay so that configurations of the overlay areas can be selected to meet changing requirements. There is no teaching or suggestion of this feature in Penzias.

Claim 4 -- requires determining when a mobile part enters a predetermined overlay area and, in response, to transmit a message to the mobile part entering such predetermined overlay area. There is no teaching or suggestion of this feature in Penzias.

Claim 5 -- requires a somewhat different response to detection of a mobile unit entering into a predetermined overlay area, namely, the transmission of a message to a user other than that particular mobile part. There is no teaching or suggestion of this feature in Penzias.



Claim 6 -- requires a value to be associated with the mobile part and that value to be modified in response to the message (that has been transmitted responsively pursuant to claim 4 when the mobile unit entered a predetermined overlay area). There is no teaching or suggestion of this feature in Penzias.

Claim 10 -- requires vehicle location to be determined by a combination of an approximate location determined by the fixed part plus a non-unique location signal coming from the mobile part. There is no teaching or suggestion of this feature in Penzias.

Claim 11 -- requires the mobile part to include means for locating its position by dead reckoning. There is no teaching or suggestion of this feature in Penzias.

Claim 12 -- requires the guidance data to be based on vehicle movement data derived from time information and position measurements of a plurality of mobile parts and estimations of future locations of the mobile parts based on the guidance information previously transmitted. There is no teaching or suggestion of this feature in Penzias.

Claim 13 -- requires the fixed part to transmit the mobile part an expected range of movement -- and requires the mobile part to detect when it strays from the expected range of movement and to automatically report back to the fixed part whenever that occurs. There is no teaching or suggestion of this feature in Penzias.

A review of the remaining independent and dependent claims will reveal that many of these novel features vis-a-vis Penzias are also contained therein.



It is axiomatic that in order for a reference to anticipate a claim, it must disclose each and every element as set forth in the claim, either expressly or inherently. See, e.g., Verdegaal Bros., Inc. v. Union Oil Co., 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). In view of the noted deficiencies of Penzias, it is respectfully submitted that Penzias cannot anticipate the rejected claims.

The rejection of all pending claims under 35 U.S.C. Section 102 as allegedly anticipated by Behr et al is also respectfully traversed.

Although Behr et al is at least more relevant in that it does relate to a computerized navigation system that actually provides guidance information, it also fails to teach the use of plural overlay areas within a geographical overlay and the transmitting of guidance information associated with an overlay area whereby mobile parts within that overlay area may simultaneously receive common guidance information associated with that overlay information.

Again, Applicants do not agree that any geographical maps of Behr will inherently include a plurality of discrete predetermined overlay areas as claimed. Nonetheless, like Penzias, Behr does not utilize a plurality of overlay areas so as to transmit common messages to plural mobile units present in or passing through a given one of the overlay areas. That is, depending on the destination of given mobile units, it may be that some mobile units passing through a given overlay area will need to have specific instructions to take some action unique to their particular destination. However, many mobile units passing through a given overlay area can be provided common information while in that overlay area because they are traveling on a route portion that is common to many different destinations. Thus the applicant's utilization of plural

overlay areas within a large geographical overlay as well as the transmission of information associated with a given overlay unit to perhaps plural mobile units that may simultaneously be within the same overlay area is a significant improvement over the prior art and is not disclosed or even suggested by Behr.

The deficiencies of Penzias with respect to additional limitations of claims subsequent to claim 1 also apply to Behr.

New claims 53-56 have been added. The subject matter of these new claims is fully supported by the original disclosure and thus no new matter has been added. It is respectfully submitted that the applied art does not teach or suggest the subject matter of these new claims.

Applicants submit that the pending claims are in condition for allowance, and action to that end is earnestly solicited.

If any issues remain to be resolved, the Examiner is urged to contact the attorney for
Applicants at the telephone number listed below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: *Michael J. Shea*
Michael J. Shea
Reg. No. 34,725

MJS:led
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100